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UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
NEWPORT NEWS DIVISION

In re: Michael Dell Grice)
Debtor ,)
Address: 510 Wine Street Hampton Va. 23669)
and Fort Monroe Hampton Va., Apartment) Debtor Case No. 13-50689
Last four digits of Social Security or Individual)
Tax-payer Identification (ITIN) No(s).: 5034) Chapter 13
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AMENDED MOTION OF WILLIAM SCOTT DAVIS JR FOR A PROTEIVE ORDER TO
RESTRICT PUBLIC ACCESS TO SUN TRUST BANK RECORDS, WAKE COUNTY NORTH
CAROLINA CIVIL FILING INJUNCTION 09CV5181, INCLUDING MEDICAL RECORDS OF
JIMMIE EUGENE DAVIS IDENTIFIABLE INFORMATION
PURSUANT TO 11 U.S.C. § 107 AND BANKRUPTCY RULE 9037

William Scott Davis Jr., Pro Se., files this Motion for Protective Order to restrict Public Access to identifiable information Pursuant to 11 U.S.C. § 107 and bankruptcy Rule 9037; and in accordance with the Supplemental motions. As to this Courts Order Dated 10th of June 2013. That William Scott Davis Jr., In In Re Michael Dell Grice, Case 13-50689 redact personal identifiers, bank accounts ECF Nos: 20, 21, 22, 31, 41, 49, and 53 collectively as the "filings" or "pleading". By seeking an Order from the Court restriction public access as too: Sun Trust Bank Records. Including a Wake County North Carolina civil filing in Junction 09cv5181, and Medical Records of Jimmie Eugene Davis filed in this case (the "Underacted Document"). Filed by William Scott Davis Jr., in the above-referenced bankruptcy "Case"). In support of this Motion the Movant would respectfully shows the Court as follows:

Jurisdictional

1. This Court has Jurisdiction over the relief requested in this Motion pursuant to 28 U.S.C §§ 157(b) and 1334. This is core proceeding. The Relief Sought herein may be granted pursuant to § 107 of the title 11 of the United States Code (the *Bankruptcy Code*) and Federal Rule of Bankruptcy Procedure 9037.

Factual Background

2. During the initial Bankruptcy Case, William Scott Davis Jr., mistakenly filed Unredacted Documents as to Jimmie E. Davis, Michael Dell Grice, Sun Trust Bank, and Heartland Hospice Medical Records of Jimmie Eugene Davis document # 47 "Exhibits". In objection to Debtor Plain, and subsequent related motions ECF Nos: 20, 21, 22, 31, 49, and 53 collectively as the "filings" or "pleading" . .
3. Including a Motion filed by William Scott Davis Jr., to Suppress Illegally obtained information as to an invalid Wake County North Carolina Civil Fining Injunction 09cv5181. That was Not Certified {emphasis added}. That had been filed by the Debtor by and thru Counsel with the Chapter 13 Plain as an Exhibit document ECF No., 36.
4. That Said Invalid North Carolina Court order, was not properly obtained from the Clerk of Courts of Wake County North Carolina by Counsel for the Debtor. But instead illegally from the private and confidential records of William Scott Davis Jr., at 510Wine Street Hampton by the Debtor. Without the knowledge or Consent of William Scott Davis Jr.
5. That the Debtor then illegally provided the N.C. Order to Romeo G. Lumaban, and S. Fear Hawkins. The Defense Counsel of a Will Construction Contested Case of Jimmie E. Davis. Now pending before the Hampton Circuit Court cases CL12-183 & CL12-937, as to Ownership of 510 Wine Street Hampton Virginia. Which was then improperly provided Debtor Counsel with the invalid Wake County North Carolina Civil Fining Injunction 09cv5181. Order was

obtained without Jurisdiction in violations of William Scott Davis Jr. Civil Rights, and the N.C. Rules of Civil Procedures, including NCGS50A. Without the Knowledge or Consent of William Scott Davis Jr.,

6. The Unredacted Document ECF Nos: 20, 21, 22, 31, 41, 49, and 53 collectively as the “filings” or “pleading”. However, inadvertently disclosed certain personally identifiable information that should have been redacted pursuant to Bankruptcy Rule 9037. And the Court at the Last Hearing on June 7th 2013 Ordered that William Scott Davis Jr., file a Protective Order Motion, and redactions within 14 days. That the trustee was to provide William Scott Davis Jr. with a Sample Protective Order and Motion which the Trustee has done.

Relief Requested & Legal Analysis

7. The Movant seek to rectify this situation by having the Unredacted Document ECF Nos: 20, 21, 22, 31, 41, 49, and 53 collectively as the “filings” or “pleading”. Along with the Wake Count North Carolina Civil Filing Injunction 09cv5181 sealed from public access ECF No 13 exhibits be sealed from public access.
8. William Scott Davis Jr., will amend the Unredacted Document by filing an amended document redacted in accordance with Fed. R. Bankr. P. 9037(a), but identical to the original document and all other respects within 30 Days.
9. Pursuant to Fed. R. Bankr. P. 9037(a), unless this court directs otherwise, a party making a filing may include personally identifiable information (“PII”) only in redacted from as follows: last for digits of Financial-Accounts numbers or social security Numbers, the year of an individual date of Birth, and the initials of any minor. William Scott Davis Jr. mistake, and failure to redact PII, from the Unredacted Document in accordance with Fed. R. Bankr P. 9037(a) was a mistake that William Scott Davis Jr. ECF Nos: 20, 21, 22, 31, 41, 49, and 53 collectively as the “filings” or “pleading”. That upon learning of the mistake, seeks remedy Further Fed. R. Bankr.

P. 9037(d) states for “cause, “this Court may “limit or prohibit” a non-part’s remote electronic access to the Unredacted Documents because such relief is necessary to ensure compliance with Fed R. Bankr. P. 9037(a).

10. Defense Counsel S. Fear Hawkins, and Romeo G. Lumberman in re Hampton Circuit Court Cases CL12000183, and CL12000937 have remotely access the Document is Question. In particular ECF No., 36 Exhibits.

11. Including having informed and re-disclosed side Documents. In particular ECF No., 36 Exhibits. Attorney Steve Carter in Beaufort South Carolina, will Contest Case 2011ES0700659 as to the Estate of William Scott Davis Sr. On 12th of June 2013. That was improperly produced by Defense Counsel Steven Carter at trial on 12th of June 2013, and filed in the Case. Against William Scott Davis Jr., in a civil conspiracy with illegally obtained documents.

12. That Counsel for the Debtor States “I got the Wake County North Carolina non-certified civil filing Injunction Order 09cv518 from S. Fear Hawkins, civil conspiracy against William Scott Davis Jr., with illegally obtained documents.

13. Further, § 107(c) of the Bankruptcy Code permits the Court, “for cause” to protect and individual's Privacy and Confidentially with respect to any paper or pleading file in a bankruptcy case “to the extent this court find that disclose of such information would create an undue risk of identity thief, unlawful third party rediscovers, or other unlawful injuries to the individual or the individual’s property.” 11 U.S.C § 107(c) Movant submits that the Fed. R. Bankr. P. 9037(a) creates a presumption that “cause” exist under § 107(c) for issuing an order protecting an individual from the disclosure of information restricted by Fed R. P 9037(a)

14. Movant does not intend for the request to have any substantive effect upon the Debtor Case, but as to , the Debtor Estate Case as to Jimmie E. Davis, Creditor Claims, other assignees, any other creditor, or parties-in-interest, except as to ownership of 510 Wine Street Hampton Virginia.

The purported Will of Jimmie E. Davis, and or Lacy Dell Bell. All registered CM/ECF users will revive electronic notice, or U.S. Mail, of the Motion, as filed. William Scott Davis Jr., respectfully submits that such notice is sufficient as appropriate given the Circumstances cited herein.

15. This Motion will be served by U.S. Mail, postage prepaid only on the Debtor, Counsel for the Debtor, the Case Trustee, and the Office of the United States Trustee. All registered CM/ECF users will revive notice by U.S. Mail postage prepaid or electron CM/ECF notice of the Motion as filed. William Scott Davis Jr. respectfully submits that such notice is sufficient and appropriate given the circumstances cited herein.
16. William Scott Davis Jr., request the Court require the Clerk of this Court, after entry of the protective order, to retain the Redacted Documents. ECF Nos: 20, 21, 22, 31, 41, 49, and 53 collectively as the “filings” or “pleading”. Including ECF No. 37 non-certified Exhibits 1, 2, 3. Especially the invalid Wake County North Carolina Civil Filing injunction 09cv5181. Except for access by the applicable debtor, the debtors' counsel upon such request by any such party, consistent with the procedures of this Court. With the exception ECF No. 37 non-certified Court Orders as Exhibits 1, 2, 3.
17. Finally, William Scott Davis Jr., apologizes for the administrative burdens cause by third party mistake and error, and wishes to express his gratitude to the Court, its staff, and the debtor and trustees in this Case for their patience and cooperation in this matter.

WHEREFORE, the Movant respectfully request that the Court enter an order directing the Clerk of this Court to restrict all public access to the Unredacted Document ECF Nos: 20, 21, 22, 31, 41, 49, and 53 collectively as the “filings” or “pleading”. Including ECF No. 37 non-certified Exhibits 1, 2, 3. Especially the invalid Wake County North Carolina Civil Filing injunction 09cv5181, and Notice the

CM/ECF parties electronically, and grant such other relief as may be proper.

Date 06/17/13


William Scott Davis Jr.,

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on 06/20/ 2012, the forgoing motion of William Scott Davis Jr, for a Protective Order to restrict public Access to Unredacted personal identifiable information, and Wake County North Carolina Civil Filing injunction 09cv5181 Pursuant to 11 U.S.C. § 107 and Bankruptcy Rule 9037 will be filed with the Clerk of Court via U.S. Mail Postage Prepaid, which then send a notification of such filing (NEF) to all registered user of the CM/CEF system.

That the undersigned hereby certifies that on June 20th 2013 a true and correct copy of the forgoing proposed Motion William Scott Davis Jr., for Protective Order to Restrict Public Access too: ECF Nos: 20, 21, 22, 31, 41, 49, and 53 collectively as the "filings" or "pleading". Including ECF No. 37 non-certified Exhibits 1, 2, 3. Information Pursuant to 11 U.S.C § 107 and Bankruptcy Rule 9037 will be served on by first-class U.S. Mail, Postage Prepaid, and or electronic mail as follows

1. United States Clerk of Bankruptcy Court
For the Easter District of Virginia
600 Granby Street
Fourth Floor
Virginia 23510
2. Law Office of Steven C. Taylor, P.C.
133 Mount Pleasant Road,
Chesapeake VA., 23322
3. Michael P Cotter
Chapter 13 Trustee
870 Greenbrier Circle Suite 402
Chesapeake, VA 23340

Date: 06/20/13

Signature: 
Name: William Scott Davis Jr.,
Address: 333 East Pembroke Ave, Suite 8
Hampton Virginia 23669
(501) 476-0480
wsdi@hotmail.com